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APR 17 2007

In re Patent Application of:
GREGG ET AL.
Serial No. 10/763,787
Confirmation No. 7948
Filed: JANUARY 23, 2004

REMARKS

Applicants thank the Examiner for the careful and thorough examination of the present application. Applicants have amended independent Claims 68 and 73 to more clearly define over the prior art and to address certain informalities. Applicants have also amended Claims 69 and 74 have for consistency. Applicants submit that all claims are patentable for the reasons set forth below.

I. The Claimed Invention

Independent Claim 61, for example, is directed to a method for making wallboard or backerboard sheets. The method comprises dispensing materials for making aerated concrete into a mold and allowing the materials to rise and stiffen into a body, and dividing the body into uncured sheets having opposing first and second major surfaces to serve as the core material. Further, the method includes securing the face layer on the major surfaces of the core material, cutting the core material and the face layer secured thereto into uncured wallboard or backerboard sheets, and curing the uncured wallboard or backerboard sheets in an autoclave.

Amended independent Claim 68 is directed to a method for making at least one of a wallboard or backerboard sheet. The method comprises forming an aerated concrete core having opposing first and second major surfaces and at least one face layer thereon. The aerated concrete core also has a generally rectangular shape defining a pair of opposing side edges and a pair of opposing end edges, and the first major surface has

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beveled portions adjacent respective opposing side edges.
Claim 68 has been amended to recite the method includes curing the aerated concrete core in an autoclave. Support for this amendment may be found on pages 20 and 22-24 of the present application.

Amended independent Claim 73 is also directed to a method for making at least one of a wallboard or backerboard sheet. The method comprises forming an aerated concrete core having opposing first and second major surfaces and at least one face layer thereon. The aerated concrete core also has a generally rectangular shape defining a pair of opposing side edges and a pair of opposing end edges, and the at least one face layer extends around the opposing side edges. Claim 73 has been amended to recite the method includes curing the aerated concrete core in an autoclave.

II. The Claims Are Patentable

The Examiner rejected independent Claim 61 over Blom in view of Emerson and Teare. Blom discloses a method and apparatus for making blocks of aerated concrete. (Col. 1, lines 14-19). The method includes forming a block of uncured aerated concrete, cutting the uncured concrete block in one direction, subsequently cutting the uncured concrete block in a perpendicular direction, and curing the crosscut concrete block in an autoclave. (Col. 4, lines 6-27). The Examiner correctly noted that Blom fails to disclose securing the face layer on the major surfaces of the core material, as in Claim

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61, for example. The Examiner looks both to Emerson and Teare to supply for such deficiency of Blom.

Emerson discloses a method for reinforcing gypsum wallboard, the wallboard comprising layers of cardboard and gypsum plaster. (Page 1, lines 18-23). Emerson discloses disposing cotton gauze or perforated paper on the surface of the gypsum plaster to reinforce it, more particularly to provide for waterproofing. (Page 1, lines 35-55). The Examiner's stated motivation to combine the cotton gauze or perforated paper of Emerson is to improve the strength of Blom's aerated concrete.

Applicants submit that the Examiner's proposed combination of Blom and Emerson is improper. The Examiner contended that a person of ordinary skill in the art would modify the aerated concrete of Blom with the cotton gauze/perforated paper of Emerson to strengthen the aerated concrete of Blom. Applicants respectfully disagree and point out that the cotton gauze/perforated paper of Emerson provides waterproofing to gypsum wallboard and not added strength to aerated concrete as contended by the Examiner. Indeed, Applicants submit that the person of ordinary skill in the art would be taught away from such a combination of gypsum wallboard reinforcement with a method for aerated concrete. Accordingly, the proposed combination of Blom and Emerson is improper, and, for this reason alone, independent Claim 61 is patentable.

Teare discloses a method and apparatus for making concrete boards. Under the Examiner's proposed combination,

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rather than forming the uncured concrete block in a mold of some form, as taught in Blom, for example, Teare discloses replacement of a mold for a sheet of fabric. (Col. 1, lines 29-45). The fabric may comprise glass fiber yarns. (Col. 7, lines 50-59). The Examiner's stated motivation to combine the fabric of Teare is to improve the strength of Blom's aerated concrete.

Applicants respectfully submit that the Examiner's proposed combination of Blom and Teare is improper because the layers of Teare are not for reinforcing the concrete blocks, but for replacing the mold that forms the uncured concrete into boards. Indeed, Blom discloses a traditional mold process for forming the uncured blocks. Therefore, the Examiner's proposed combination requires adding a redundant functionality, i.e. mold forming device of Teare, into the primary reference, Blom. Applicants submit that the person of ordinary skill would recognize that this proposed modification is unnecessary and would be taught away from such a modification of Blom. Accordingly, the proposed combination of Blom and Teare is improper, and, for this reason also, independent Claim 61 is patentable.

Amended independent Claims 68 and 73 are similar to Claim 61, were rejected under similar rationale, and are patentable for similar reasons. Accordingly, it is submitted that independent Claim 61 and amended independent Claims 68 and 73 are patentable over the prior art. Their respective dependent claims, which recite yet further distinguishing

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features, are also patentable over the prior art and require
no further discussion herein.

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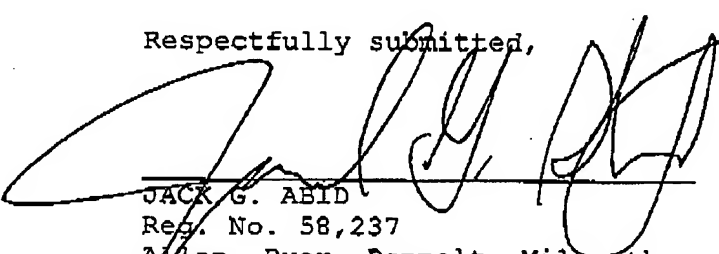
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CONCLUSIONS

In view of the arguments and amendments presented above, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-8300 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 17th day of April, 2007.

